REPORT SUMMARY

THIS PROPOSAL HAS BEEN PLACED INTO THE EXPEDITED APPROVAL PROCESS YOUR ATTENDANCE IS NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE. PLEASE SIGN and RETURN THE 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY

Date of Consideration: **September 10, 2015**

File Number: **B64/15**

Applicant: **Wesley Scott**

Subject Lands: TOWN OF ERIN – Part Lot 10, Concession 9

Proposal is a request for consent to convey fee simple for a proposed severance 0.4 hectares (1 acre) with 80m frontage on Sideroad 10 and 66m frontage on Eighth Line in the TOWN OF ERIN – Part Lot 10, Concession 9, vacant land for proposed residential use; retained lands are 3.5 hectares (8.65 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – in support of application; conforms with Official Plan and Zoning; conditions to apply

County Planning - notice cards were posted at time of site visit; application consistent with Provincial Policy and generally conforms to County Official Plan – Secondary Agricultural – proposed severed appears to be well removed from natural features toward east of property; no new lots have been created on parcel since March 1, 2005

Conservation Authority (Credit Valley) – no concerns with application – permit from CVC may be required prior to issuance of building permit

MNRF – no concerns

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B64/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
6) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the owner satisfy the requirements of the Town of Erin concerning road widening conveyances along the frontage of the severed and retained parcel; and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8) THAT the Owner provide a survey confirming the location of the proposed entrance that should meet the standards outlined in the entrances by-law 10-47 to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
9) THAT the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin (denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation); and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

August 27, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B64/15

APPLICANT

Wesley Scott
8 Sultan St.
Apartment 602
Toronto ON M5S 1C7

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 10
Concession 9

Proposed severance is 0.4 hectares with 80m frontage on Sideroad 10 and 66m frontage on Eighth Line, vacant land for proposed residential use.

Retained parcel is 3.5 hectares with 193m frontage on Sideroad 10 and 78m frontage on Eighth Line, existing and proposed residential use with existing garage.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, September 10, 2015**

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Owner – Wesley Scott** **Applicant – Scott Malcolm & Louise Kuenzig**
Agent – JL Cox

RECEIVED
AUG 12 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B64/15

APPLICANT

Wesley Scott
8 Sultan St.
Apartment 602
Toronto ON M5S 1C7

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 10
Concession 9

Proposed severance is 0.4 hectares with 80m frontage on Sideroad 10 and 66m frontage on Eighth Line, vacant land for proposed residential use.

Retained parcel is 3.5 hectares with 193m frontage on Sideroad 10 and 78m frontage on Eighth Line, existing and proposed residential use with existing garage.

RECEIVED
JUL 14 2015
TOWN OF ERIN

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 3-01100

Does this description reasonably describe the parcel holdings? YES(x) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES(x) NO( )

What Section(s) does it conform to or contravene? (Please specify)

_____

_____

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [x] NO [ ]

(Please Specify) _____

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [x] NO [ ]

(Please Specify) _____

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A( ) or **Minor Variance** YES( ) NO( ) N/A( )

Is proposal on an opened maintained year-round public road YES(x) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify _____

_____

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(x)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(x)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(x)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(x)

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(x)

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B64/15

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [x] NO [ ]

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

Is the Municipality in support of this application? **YES(x) NO( )**

What Conditions, if any, are requested by the Municipality if the Consent is granted?

See attached

Does the Municipality request a Notice of the Decision? YES(x) NO( )

SIGNATURE _____

TITLE: Building and Planning Assistant

ADDRESS: 5684 Trafalgar Road, Hillsburgh, ON N0B 1T0

DATE: August 10, 2015

Corporation of the Town of Erin
5684 Trafalgar Road
RR2 Hillsburgh ON N0B 1Z0
(519) 855-4407 Ext. 240 Fax: (519) 855-4281
EMAIL: Jessica.wilton@erin.ca

Severance Application Recommendation

To: County of Wellington Land Division Committee
From: Jessica Wilton, Building & Planning Assistant
Date: August 10, 2015
Applicant: Wesley Scott
Location: Part Lot 10 Concession 9
File: B64/15

Official Plan: Secondary Agricultural, Core Greenlands and Greenlands
Zoning: A - Agricultural and EP2 - Rural Environmental Protection

Recommendation: The Town of Erin relies on the County of Wellington to confirm compliance with Minimum Distance Separation Formulae. The Town of Erin requests that the following conditions of approval be required. The Town of Erin will file clearance of these conditions with the Secretary-Treasurer of the Committee of Adjustment once the conditions have been fulfilled.

1. That the owner pay parkland dedication and satisfy any other requirements of the local municipality, financial and otherwise to which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.

2. Request a 3m road widening on the severed and retained parcels, anything beyond that is beyond the control of the applicant.

1. Provide a survey confirming the location of the proposed entrance that should meet the standards outlined in the entrances by-law 10-47.

2. That the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin, denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation.

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

RECEIVED
JUL 29 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B64/15
Location	Part Lot 10, Concession 9 TOWN OF ERIN
Applicant/Owner	Wesley Scott

PLANNING OPINION: This application would sever a vacant 0.4 ha (1 ac) rural residential lot in a Secondary Agricultural area. A 3.5 ha (8.7 ac) parcel would be retained with an existing garage.

This application is consistent with Provincial policy and would generally conform to the Official Plan. We would have no concerns, provided that any concerns of the Conservation Authority can be addressed, that servicing can be accommodated to the satisfaction of the Town and that as a condition of approval and that safe driveway access can be provided to the satisfaction of the Town.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): With respect to Minimum Distance Separation 1 (MDS1), we are satisfied that the barns shown on the Survey Sketch are sufficiently removed from the proposed severed lot.

GREENBELT PLAN: The subject property is within the Natural Heritage System. There do not appear to be any mapped key natural heritage or hydrological features nearby.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL, CORE GREENLANDS and GREENLANDS. The proposed severed lot appears to be well removed from the natural features toward the east of the property.

According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:

a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
c) The lot has access to an open public road;
d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
e) The residential use is compatible with surrounding development;
f) The use is well removed from any settlement boundary;
g) The lands have been owned by the applicant for at least five years.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over five years.

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards", d) "that all lots will have safe driveway access to an all-season maintained public road" and m) "that all new lots shall have logical lot lines given existing lot patterns in the area, natural and human-made features and other appropriate considerations". With respect to m) we are satisfied that the lot follows existing berms and tree groupings.

LOCAL OFFICIAL PLAN: The subject property is designated Secondary Agricultural, Core Greenlands and Greenlands.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A) and Rural Environmental Protection (EP2). Both lots would meet the applicable lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on July 27, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
July 28, 2015

August 5, 2015

County of Wellington
Land Division Committee
74 Woolwich Street
Guelph, ON N1H 3T9

Attention Deborah Turchet, Secretary-Treasurer

RECEIVED
AUG - 6 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Dear Ms. Turchet:

Re: **CVC File No. B 15/064**
Your File No. B064/15
Wesley Scott
9509 10th Sideroad
Part of Lot 10 Concession 9
Town of Erin

Staff of Credit Valley Conservation (CVC) has now reviewed the above-noted application and we provide the following comments for your consideration:

PROPOSAL:
The purpose of this Consent Application is to sever 0.4 hectares with 80m frontage on Sideroad 10 and 66m frontage on Eighth Line, vacant land for proposed residential use.

The retained parcel is 3.5 hectares with 193m frontage on Sideroad 10 and 78m frontage on Eighth Line, existing and proposed residential use with existing garage.

SITE CHARACTERISTICS:
The subject property contains the following site characteristics:

REGULATED AREA:
The subject property is located partially within the Regulated Area. A permit may be required from CVC for any grading or construction works within this area.

WETLAND:
The subject property is partially within the Provincially Significant Eramosa River – Blue Springs Credit Wetland Complex. Wetlands are diverse and productive ecosystems that are hydrologically significant to a watershed. CVC does not support new development in wetlands, including buildings, structures, driveways, septic systems, ponds…etc. An Environmental Study Report may be required for new development located adjacent to wetlands, depending on potential impacts.

GREENLANDS:
The subject property is partially within an area designated as Greenlands by the County of Wellington. It is the policy of the County of Wellington to protect the form and function of these natural areas. CVC provides technical support to this agency with respect to delineation of natural features and reviewing potential impacts from subsequent development within and adjacent to these lands.

PROVINCIAL GREENBELT:
The entire property falls within the Protected Countryside of the Greenbelt Plan Area and is entirely designated as part of its Natural Heritage System.

COMMENTS:
Based on our review of this application, CVC staff has determined that the proposed severance is setback sufficiently from the above-noted natural features. On this basis, CVC has no concerns with this application for consent and no objection to its approval by the Committee at this time.

It should be noted that a permit from CVC may be required prior to the issuance of a Building Permit from the Town of Erin in order to authorize development on the severed parcel and retained parcel.

We request to be notified of the Committee's decision in relation to this application.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x. 245).

Sincerely,

Suzie Losiak
Planner

Cc: **Town of Erin**

Wesley Scott
8 Sultan St.
Apartment 602
Toronto, ON M5S 1C7

J.L. Cox Planning Consultants Inc.
350 Speedvale Avenue West,
Unit 6
Guelph, Ontario
N1H 7M7

Jana Poechman

From: McKenna, Tara (MNRF) <Tara.McKenna@ontario.ca>
Sent: August 10, 2015 4:08 PM
To: Jana Poechman
Cc: Mark Van Patter
Subject: FW: MNRF Comments: Wesley Scott consent application (File No: B64/15)
Attachments: B64-15 MNR.PDF

Hi Jana,

Please see comments provided to Mark below.

Thanks,

Tara

Tara McKenna, M.Pl.
District Planner
Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph ON, N1G 4Y2
(P) 519-826-4912
(F) 519-826-4929
email: tara.mckenna@ontario.ca

From: McKenna, Tara (MNRF)
Sent: August-10-15 4:00 PM
To: 'Mark Van Patter'
Cc: Marriott, David (MNRF); Thompson, Melinda (MNRF)
Subject: MNRF Comments: Wesley Scott consent application (File No: B64/15)

Hi Mark,

Ministry staff have reviewed the Wesley Scott consent application (File No: B64/15) for any species at risk information that may be relevant for the subject property. Based on our records and review of aerial imagery for the property, MNRF has no concerns at this time.

However, it is recommended that the proponent be made aware that the ESA is dynamic legislation, which is updated periodically. The ESA may be amended as a result of species assessment and re-assessment, which can change the level of protection for species' and their habitats. More information about the ESA can be accessed on this webpage: http://www.ontario.ca/environment-and-energy/how-get-endangered-species-act-permit-or-authorization.

I hope these comments are of assistance.

Regards,

Tara

Tara McKenna, M.Pl.
District Planner
Ministry of Natural Resources and Forestry, Guelph District
1 Stone Road West
Guelph ON, N1G 4Y2
(P) 519-826-4912